

David W. Fassett (DWF 1636)
ARSENEAULT & FASSETT, LLP
560 Main Street
Chatham, NJ 07928
(973) 635-3366
Attorneys for Defendants

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

FRANK M. GARGIULO & SON, INC.,

Plaintiff,

Civil Action No. 14-3285 (ES) (JAD)

v.

BENSI RESTAURANT GROUP, INC., et al.,

Defendants.

CONSENT ORDER REGARDING BRIEFING

THIS MATTER having come before the Court on the parties' request to determine briefing dates relating to the Amended Complaint [DE 13], and Plaintiff's Memorandum of Law in Further Support of its Application for a Preliminary Injunction, and supporting affidavit [DE 14; 15]; and the Court having reviewed the matter, and all counsel having consented to the form and substance of this Order, and for good cause shown;

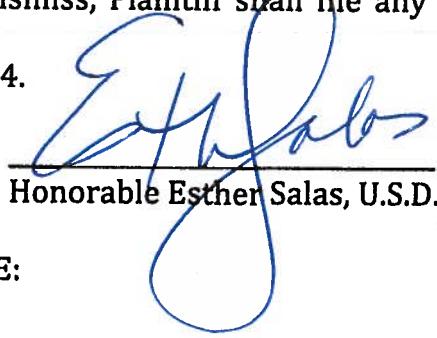
IT IS on this 11th day of June, 2014,

ORDERED as follows:

1. Defendants shall file and serve their response to the Amended Complaint [DE 13], or a motion to dismiss, no later than July 11, 2014;

2. Defendants shall file and serve their reply to Plaintiff's Memorandum of Law in Further Support of its Application for a Preliminary Injunction, and supporting Affidavit [DE 14; 15] no later than July 11, 2014;

3. If Defendants file a motion to dismiss, Plaintiff shall file any opposition papers to the motion no later than July 18, 2014.



Honorable Esther Salas, U.S.D.J.

CONSENTED TO AS TO FORM AND SUBSTANCE:

WILSON HARVEY BROWNDORF, LLP
Attorneys for Plaintiff

By: s/ Aarti A. Shah

Dated: June 16, 2014

ARSENEAULT & FASSETT, LLP
Local Counsel for Defendants

By: s/ David W. Fassett

Dated: June 16, 2014

MEUERS LAW FIRM, PI
Attorneys for Defendants
(Pro Hac Vice forthcoming)

By: s/ Lawrence H. Meuers

Dated: June 16, 2014

ARSENEAULT & FASSETT, LLP

JACK ARSENEAULT
DAVID W. FASSETT

ATTORNEYS AT LAW

560 MAIN STREET
CHATHAM, NEW JERSEY 07928
(973) 635-3366
FAX (973) 635-0855
EMAIL info@af-lawfirm.com

JOHN J. ROBERTS*

Of Counsel
THOMAS M. LENNEY**

* ALSO ADMITTED IN NEW YORK
** ALSO ADMITTED IN MICHIGAN

June 16, 2014

VIA ECF

Honorable Esther Salas, U.S.D.J.
Martin Luther King, Jr. U.S. Courthouse
50 Walnut Street
Newark, NJ 07102

RE: Frank M. Gargiulo & Son, Inc. v. Bensi Restaurant Group, Inc., et al.
Civil No. 14-3285 (ES) (JAD)

Dear Judge Salas:

We are local counsel for defendants. Per my telephone conversation this morning with Your Honor's law clerk, we respectfully submit herewith a proposed consent order prescribing an amended briefing schedule in light of plaintiff's amended complaint filed June 10, 2014, [Doc. 13], which effectively rendered moot defendants' motion to dismiss the original complaint filed June 6, 2014 [Doc. 12]. Plaintiff's counsel has consented to the substance and form of this proposed Order. Should the Court approve, please cause the Order to be entered on ECF.

Thank you.

Respectfully,

s/ David W. Fassett

Enclosure

cc: Aarti A. Shah, Esq. (w/encl.) (ECF)
Lawrence H. Meuers, Esq. (w/encl.) (Email)